

**MINUTES  
FREMONT CITY COUNCIL MEETING  
NOVEMBER 19, 2013  
FREMONT CITY HALL  
7:00 P.M.**

**1. PRELIMINARY**

- A. Call to Order:** Mayor Harrison called the meeting to order.
- B. Flag Salute:** Councilmember Chan led the salute to the flag.
- C. Roll Call:** Present: Mayor Harrison, Vice Mayor Natarajan, Councilmembers: Chan, Bacon and Salwan.
- D. Announcements by Mayor/City Manager**

Mayor Harrison held a moment of silence for the victims of the tornado disaster in Washington, Illinois.

**2. CONSENT CALENDAR**

- \* **A. Waive Reading of Ordinances:** The City Attorney read the titles of ordinances to be considered.

On a motion by Councilmember Salwan, seconded by Councilmember Chan, the City Council waived further readings of proposed ordinances.

Ayes:	Mayor Harrison, Councilmembers: Chan and Salwan
Noes:	None
Absent:	Vice Mayor Natarajan and Councilmember Bacon
Abstain:	None

- \* **B. Approval of Minutes – None.**
- \* **C. Mayor Harrison opened consideration of Second Reading and Adoption of Ordinance of the City of Fremont Amending the Precise Site Plan for Planned District P-80-3 Regarding Property Located at 39550 Paseo Padre Parkway**

On a motion by Councilmember Salwan, seconded by Councilmember Chan, the City Council adopted Ordinance No. 14-2013.

Ayes:	Mayor Harrison, Councilmembers: Chan and Salwan
Noes:	None
Absent:	Vice Mayor Natarajan and Councilmember Bacon
Abstain:	None

- \* **D. Mayor Harrison opened consideration of Second Reading and Adoption of Ordinance of the City of Fremont Rezoning Property Located at 9600 Quarry Road from Planned District, Quarry Combining and Quarry and Flood Combining (P-81-12(Q), P-81-12(Q)(F)), Open Space District (O-S) and Restricted Industrial, Flood Combining District (I-R(F)) to Planned District, Quarry Combining and Quarry and Flood Combining (P-2013-126(Q), P-2013-126(Q)(F)).**

On a motion by Councilmember Salwan, seconded by Councilmember Chan, the City Council adopted Ordinance No. 15-2013.

Ayes: Mayor Harrison, Councilmembers: Chan and Salwan  
Noes: None  
Absent: Vice Mayor Natarajan and Councilmember Bacon  
Abstain: None

- \* **E. Mayor Harrison opened consideration of Approval of Final Map, Improvement Agreement for Construction of Public Improvements (Tangelo Court) and Dedication of Land and Public Easements for Tract 8106 (at 42186 Palm Avenue by 42186 Palm Avenue Developers, LLC.)**

On a motion by Councilmember Salwan, seconded by Councilmember Chan, the City Council adopted Resolution No. 2013-69:

1. Approving the Final Map and the Improvement Plans for Tract 8106,
2. Approving the Agreement for Public Improvements entitled "Public Improvement Agreement, Tract 8106", with the developer, 42186 Palm Avenue Developers LLC, a California Limited Liability corporation, and authorizing the City Manager or designee to execute the agreement on behalf of the City, and
3. Accepting the developer's offer of dedication of real property interests, as identified on the Final Map, provided that to the extent offers of dedication are for real property on which the Developer is required to construct public improvements, the acceptance of the offer of dedication shall be conditioned upon the developer's completion of improvements to the satisfaction of the City Engineer.

Ayes: Mayor Harrison, Councilmembers: Chan and Salwan  
Noes: None  
Absent: Vice Mayor Natarajan and Councilmember Bacon  
Abstain: None

- \* **F. Mayor Harrison opened consideration of Authorization to Amend the Agreement with Bay Area Community Services for Adult Day Care Program Addition and Renovation Project**

\*This item was removed from the Consent Calendar for Councilmember questions.

On a motion by Councilmember Salwan, seconded by Councilmember Chan, the City Council authorized the City Manager or his designee to execute a contract amendment with BACS for

its Adult Day Care Program Addition and Renovation project. The amount of the CDBG contract amendment is not to exceed \$130,000.

Ayes: Mayor Harrison, Councilmembers: Chan and Salwan  
Noes: None  
Absent: Vice Mayor Natarajan and Councilmember Bacon  
Abstain: None

### 3. CEREMONIAL ITEMS

- A. **Resolution: Honoring Systems Analyst/Programmer John Leon for Twenty-five Years of Service** – this item has been postponed to the December 3, 2013 City Council Meeting.

### 4. PUBLIC COMMUNICATIONS

#### A. Oral and Written Communications

Beth Howell (City employee), Leesa Wiseman (City employee), David Watt (City employee), Lisa Promes (City employee), Martha Matthiesen (City employee), Seneca Scott (East Bay Director for SEIU 1021), Gary Jiminez (East Bay Regional Vice President for SEIU 1021), and Chris Daly (Political Director for SEIU 1021) expressed concerns regarding wage reductions as referenced in the Fremont Association of City Employees (FACE) Memorandum of Understanding (MOU).

### 5. SCHEDULED ITEMS

- A. **Mayor Harrison opened consideration of a Public Hearing (Published Notice), Second Reading, and Adoption of Ordinances and Findings Adopting and Amending the 2013 California Building Standards Code and Adopting by Reference Certain Appendix Chapters of the 2013 California Building Standards Codes, and Making Conforming Changes to the Fremont Municipal Code, and Adoption of Resolutions Containing Supporting Findings and Determinations, Including Finding that the Project is Exempt from the California Environmental Quality Act (CEQA) per Guideline 15061(b)(3) in that it does not have the Potential for Causing a Significant Effect on the Environment.**

\*This item was added to the Consent Calendar.

On a motion by Councilmember Salwan, seconded by Councilmember Chan, the City Council:

1. Held public hearing.
2. Found that the project is exempt from the California Environmental Quality Act (CEQA), pursuant to Guideline 15061(b)(3).
3. Waived full reading and adopted Ordinances No. 16-2013 and 17-2013 adopting by reference and amending the 2013 California Building, Electrical, Plumbing, Mechanical, Residential, Green Building, Existing Building, Housing and Fire Codes and the International Property Maintenance Code.

4. Adopted Resolution No. 2013-70 making findings that the amendments to the 2013 California Building Standards Code are reasonable necessary because of local conditions.

Ayes: Mayor Harrison, Councilmembers: Chan and Salwan  
Noes: None  
Absent: Vice Mayor Natarajan and Councilmember Bacon  
Abstain: None

**6. REPORT FROM CITY ATTORNEY – None.**

**7. OTHER BUSINESS**

**A. Mayor Harrison opened consideration of a Presentation by PG&E on the Proposed Replacement of Line 131 Natural Gas Transmission Pipeline Project for Council Consideration and Comment**

City Engineer Norm Hughes and Senior Civil Engineer Primo de Guzman provided an overview. PG&E Government Relations Officer Roxanne Cruz and PG&E Construction Manager Sean Dearborn gave a PowerPoint presentation and responded to questions from Councilmembers. Mayor Harrison opened the public comment period. Salim Mastan expressed a variety of concerns. There were no additional speakers. Mayor Harrison closed the public comment period. The City Council received the presentation from PG&E on the proposed Line 131 natural gas transmission pipeline replacement project and provided comment for PG&E's consideration.

**B. Mayor Harrison opened consideration of Introduction of an Ordinance to Amend Fremont Municipal Code to add Title VIII, Chapter 8.70, Tenant Relocation Assistance, including Finding that the project is exempt from the California Environmental Quality Act (CEQA) per Guideline 15061(b)(3) in that it does not have the potential for causing a significant effect on the environmental. (Tenant Relocation Assistance Ordinance)**

\*This item was added to the Consent Calendar.

On a motion by Councilmember Salwan, seconded by Councilmember Chan, the City Council:

1. Waived full reading and introduced an ordinance adding Fremont Municipal Code Title 8, Chapter 70;
2. Found that the project is exempt from the California Environmental Quality Act (CEQA), pursuant to Guideline 15061(b)(3); and
3. Directed staff to prepare a summary of the ordinance and the City Clerk to post and publish the summary in accordance with Government Code Section 36933(c)(1).

Ayes: Mayor Harrison, Councilmembers: Chan and Salwan  
Noes: None  
Absent: Vice Mayor Natarajan and Councilmember Bacon  
Abstain: None

## **8. COUNCIL COMMUNICATIONS**

### **A. Council Referrals – None.**

- 1. Mayor Harrison opened consideration of SELECTION OF THE VICE MAYOR - Select Vice Mayor for 2014.**

The City Council continued item to the December 3, 2013 City Council Meeting.

### **B. Oral Reports on Meetings and Events**

Councilmembers reported on their various meetings and activities.

- 9. ADJOURNMENT:** There being no further business, Mayor Harrison adjourned the meeting at 8:20 p.m.

Attest:

Approved:

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Susan Gauthier, Assistant City Clerk

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BILL HARRISON, Mayor